



JUDICIAL CONFERENCE OF THE UNITED STATES

WASHINGTON, D.C. 20544

THE CHIEF JUSTICE
OF THE UNITED STATES
Presiding

LEONIDAS RALPH MECHAM
Secretary

October 28, 2004

Honorable Ted Stevens
Chairman
Committee on Appropriations
United States Senate
S-128 United States Capitol Building
Washington, DC 20510

Dear Mr. Chairman:

This letter is a follow-up to the meeting I had with you several months ago. You may recall that I made a plea that the judiciary be specifically exempted from any across-the-board reductions that may be considered as you conclude the fiscal year 2005 appropriations process.

The basis for my plea is our concern that the Judicial Branch is not a party to the final budget negotiations between the Executive and Legislative Branches in which decisions are made that impact the judiciary. In FY 2004, this took the form of across-the-board cuts that were the difference between the federal courts being able to continue to operate at the previous year's levels and what ultimately turned out to be a downsizing of over 900 Probation Office and Clerks Office employees, a reduction of over 4 percent of on-board court staff nationwide.

In fiscal year 2004, the agreement reached in conference on the appropriations bill for the judiciary by the House and Senate was sufficient to allow the courts to maintain current services at the FY 2003 staffing levels, although significant cuts to non-personnel areas would still have been necessary. However, as our bill made it through the final appropriations process, across-the-board cuts totaling just over 1 percent made it necessary for the courts to reduce employee levels by over 900 through a combination of layoffs, furloughs, buy-outs, early retirements, and hiring freezes. We are unaware of similar downsizing by any other federal entity. In fact, while court staffing levels are declining, the law enforcement and homeland security agencies that we support, or which impact court workload, are growing.

Honorable Ted Stevens

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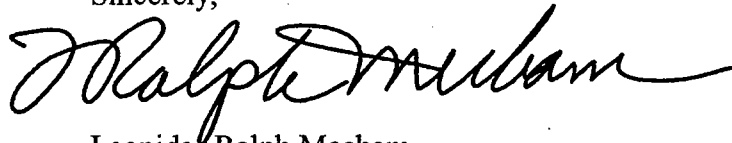
We understand that when Congress returns after the election you are considering wrapping up remaining fiscal year 2005 appropriations bills into an omnibus appropriations bill. This scenario is almost identical to what occurred in FY 2004, when an agreement by the conferees for the judiciary was subsequently reduced by across-the-board cuts. We are very concerned because the amounts in conference in both the House and Senate bills already do not accommodate the workload needs of the court, and are either barely at current services (the House bill), or significantly below current services (the Senate bill). We are already planning draconian cuts to all non-salary areas to operate at a level below current services. Any subsequent across-the-board cut will almost certainly result in a further loss of jobs for our dedicated, hard working court employees.

Knowing the time constraints under which you are operating, we support fully the plans for an omnibus. We recognize that the alternative would likely be a long-term or full-year Continuing Resolution, which would be disastrous for the federal courts and, I am convinced, for the entire judicial system.

On behalf of the Chief Justice and the Judicial Conference of the United States, I am asking that the judiciary be specifically exempted from any across-the-board reduction that may be offered in the process of bringing the fiscal year 2005 appropriations process to its completion.

I appreciate your attention to this matter. If you have any questions please contact me or my Chief Financial Officer, George Schafer, at (202) 502-2000.

Sincerely,

A handwritten signature in black ink, appearing to read "Leonidas Ralph Mecham". The signature is fluid and cursive, with a large, stylized initial "L".

Leonidas Ralph Mecham
Secretary